



# COMMITTEE ON RULES

*I Mina'trentai Tres na Liheslaturan Guahan* • The 33rd Guam Legislature

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June 12, 2015

## Memorandum

**To:** **Rennae Meno**  
*Clerk of the Legislature*

**From:** **Senator Dennis G. Rodriguez, Jr.**   
*Acting Chairperson of the Committee on Rules*

**Subject:** **Fiscal Notes and Fiscal Note Waiver**

*Hafa Adai!*

Attached please find the fiscal notes and fiscal note waiver for the bill numbers listed below. Please note that the fiscal notes and fiscal note waiver are issued on the bills as introduced.

### FISCAL NOTES:

- Bill No. 67-33(COR)
- Bill No. 68-33(COR)
- Bill No. 94-33(COR)
- Bill No. 101-33(COR)
- Bill No. 105-33(LS)
- Bill No. 114-33(COR)

### FISCAL NOTE WAIVER:

- Bill No. 112-33(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'ase'!*

  
2015 JUN 12 10:11 AM

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 105-33 (LS)**

**AN ACT TO AMEND §5204(d) OF ARTICLE 2, CHAPTER 5, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO SUPPORTING THE DEVELOPMENT OF SAFE AND HEALTHY YOUTH AND COMMUNITY ACTIVITIES THROUGH A DEDICATED FUNDING SOURCE.**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected: Department of Revenue and Taxation</b>		<b>Dept./Agency Head: John Camacho, Director</b>	
Department's General Fund (GF) appropriation(s) to date:		9,052,847	
Department's Other Fund (Specify) appropriation(s) to date: Better Public Service Fund (\$1,829,515); Tax Collection Enhancement Fund (\$864,487)		2,694,002	
<b>Total Department/Agency Appropriation(s) to date:</b>		<b>11,746,849</b>	

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected: Department of Parks and Recreation</b>		<b>Dept./Agency Head: Raymond F.Y. Blas, Director</b>	
Department's General Fund (GF) appropriation(s) to date:		3,109,600	
Department's Other Fund (Specify) appropriation(s) to date: Public Recreation Services Fund (\$199,546); Tourist Attraction Fund (\$749,377)		948,923	
<b>Total Department/Agency Appropriation(s) to date:</b>		<b>4,058,523</b>	

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected: Department of Education</b>		<b>Dept./Agency Head: Jon Fernandez, Superintendent</b>	
Department's General Fund (GF) appropriation(s) to date:		201,525,253	
Department's Other Fund (Specify) appropriation(s) to date: School Lunch Child Nutritional Meal Fund (\$10,069,218); Cash Collection (\$1,095,091); Public Library Resources Fund (\$839,429); Territorial Educational Facilities Fund (\$17,967,302); Health Future Fund (\$891,754)		30,862,794	
<b>Total Department/Agency Appropriation(s) to date:</b>		<b>\$232,388,047</b>	

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected: Mayors Council of Guam</b>		<b>Dept./Agency Head: Paul M. McDonald, President</b>	
Department's General Fund (GF) appropriation(s) to date:		6,798,486	
Department's Other Fund (Specify) appropriation(s) to date: Guam Highway Fund (\$2,560,936) Tourist Attraction Fund (\$3,054,690); Host Community Fund (\$300,000)		5,915,626	
<b>Total Department/Agency Appropriation(s) to date:</b>		<b>12,714,112</b>	

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2014 Unreserved Fund Balance	\$0	\$0	\$0
FY 2015 Adopted Revenues	\$0	\$0	\$0
FY 2015 Appro. (P.L. 32-181 thru 33-07)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2015 (if applicable)	FY 2016	FY 2017	FY 2018	FY 2019
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Limited Gaming Fund	\$0	\$779,210	2/	2/	2/	2/
<b>Total</b>	<b>\$0</b>	<b>\$779,210</b>	<b>2/</b>	<b>2/</b>	<b>2/</b>	<b>2/</b>

1. Does the bill contain "revenue generating" provisions? // Yes  No   
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? // Yes  No   
If no, what is the additional amount required? \$ \_\_\_\_\_ // N/A
3. Does the Bill establish a new program/agency? // Yes  No   
If yes, will the program duplicate existing programs/agencies? // Yes  No   
Is there a federal mandate to establish the program/agency? // Yes  No
4. Will the enactment of this Bill require new physical facilities? // Yes  No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes  No   
// Requested agency comments not received by due date // Other: \_\_\_\_\_

Analyst: <u>Virginia Mangiona</u>	Date: <u>6/10/15</u>	Director: <u>Jose S. Calvo</u>	Date: <u>JUN 11 2015</u>
Virginia Mangiona, BMA II		Jose S. Calvo, Director	

**Footnotes:**

1/ See attached comment sheet.

2/ Estimated impact is dependent on actual monthly collections.

### Comments on Bill No. 105-33 (LS)

BILL NO. 105-33 (LS) IS AN ACT TO *AMEND* §5204(d) OF ARTICLE 2, CHAPTER 5, TITLE 11, GUAM CODE ANNOTED, RELATIVE TO SUPPORTING THE DEVELOPMENT OF SAFE AND HEALTHY YOUTH AND COMMUNITY ACTIVITIES THROUGH A DEDICATED FUNDING SOURCE.

Pursuant to Public Law 32-060, the Limited Gaming Fund was signed into law July 9, 2013. In accordance with §5204(d) which was added to 11 GCA, Chapter 5, by this law, moneys remaining in the Fund, after maintaining required reserves for administrative expenses, *shall* be appropriated in the following manner in each fiscal year:

- Up to one third (1/3) / 33% to the Mayors Council of Guam
- Up to one third (1/3) / 33% to the Department of Parks and Recreation
- Up to one third (1/3) / 33% to the Department of Education

The subject legislation proposes to amend §5204(d) whereby “moneys remaining in the Fund, after maintaining the stated reserves for administrative expenses of this Act, are hereby appropriated, and shall continue to be deemed appropriated, annually, in the following manner each fiscal year.”

It should be noted that approximately \$783,236.48 and \$969,639.96 for FY2013 and FY2014 collections respectively have since been appropriated per P.L. 32-148. Should the subject Bill become law, FY2015 collections, which currently totals \$779,210.39, and all future collections to the Fund would be deemed to be appropriated on a continuing basis.